

TITLE 43.PROFESSIONS AND BUSINESSES
CHAPTER 4.ARCHITECTS
ARTICLE 1.
GENERAL PROVISIONS

43-4-1. Definitions.

As used in this chapter, the term:

(1) “Architect” means an individual technically and legally qualified to engage in the practice of architecture.

(2) “Architectural construction contract administration services” shall include at a minimum the following services:

(A) Visiting the construction site on a regular basis to determine that the work is proceeding in accordance with the technical submissions submitted to the building official at the time the building permit was issued; and

(B) Processing shop drawings, samples, and other submissions required of the contractor by the terms of construction contract documents.

(3) “Board” means the Georgia State Board of Architects and Interior Designers.

(4) “Building” means any structure consisting of foundation, floors, walls, columns, girders, beams, and roof or a combination of any of these parts, with or without other parts or appurtenances.

(5) “Building official” means the person appointed by the county, municipality, or other political subdivision of the state having responsibility for the issuance of building permits and the administration and enforcement of the Georgia State Minimum Construction Codes, or a state fire marshal where there is not such local official.

(6) 'Building shell' means a building framework, perimeter and exterior walls, the building core and columns, and other structural, mechanical, and load-bearing elements of the building.

(7) 'Building shell system' means a mechanical, plumbing, fire protection, electrical, structural, or motorized vertical transportation system designed for or located within a building shell.

(8) 'Interior construction document' means detailed drawings and specifications sealed and signed by a registered interior designer certifying compliance with applicable current building codes, ordinances, laws, and regulations that define the work to be constructed in such form as is required for approval of a construction permit by a building official or fire marshal. Such document may be combined with documents prepared under the

responsible control, seal, and signature of other registered or licensed professionals.

(9)(A) 'Interior design' means the rendering of or the offering to render designs, consultations, studies, planning, drawings, specifications, contract documents, or other technical submissions and the administration of interior construction and contracts relating to nonstructural interior construction of a building by a registered interior designer. Such term includes:

- (i) Space planning, finishes, furnishings, and the design for fabrication of nonstructural interior construction within interior spaces of buildings;
- (ii) Responsibility for life safety design of proposed or modification of existing nonstructural and nonengineered elements of construction such as partitions, doors, stairways, and paths of egress connecting to exits or exit ways; and
- (iii) Modification of existing building construction so as to alter the number of persons for which the egress systems of the building are designed.

(B) Registered interior designers shall collaborate and coordinate their work with registered architects or engineers for work that is excluded by this definition, including without limitation:

- (i) The design of or responsibility for the building shell or any building shell systems; or
- (ii) Construction which materially affects building life safety systems pertaining to fire safety protection such as fire-rated vertical shafts in multistory structures and fire-rated protection of structural elements with the exception of incidental restoration of fire protection to elements impacted by nonstructural elements of construction, smoke evacuation, emergency sprinkler systems, and emergency alarm systems.

(10) 'Nonstructural interior construction' means the construction of elements which do not include a load-bearing wall, a load-bearing column, or other load-bearing elements of a building essential to the structural integrity of the building.

(11) "Practice of architecture" means the rendering of or offer to render the following services in connection with the design, construction, enlargement, or alteration of a building or group of buildings and the space within and surrounding such buildings, which may have human occupancy or habitation: planning: providing preliminary studies, designs, drawings, specifications, and other technical submissions; the architectural administering of construction contracts; and coordinating elements of technical submissions prepared by others including, as appropriate and without limitation, consulting engineers, registered interior designers, and landscape architects. As part of the practice of architecture, a registered architect may perform such engineering work as is incidental to his or her work. Nothing in this paragraph shall be construed to prohibit a licensed engineer from coordinating technical submittals related to the

practice of engineering. Nothing in this paragraph shall be construed to prohibit a registered interior designer from coordinating submittals related to the practice of interior design.

(12) “Registration” means the certificate of registration issued by the board.

(13) “Registered architect” means a person who is technically and legally qualified and currently registered with the board to practice architecture in the State of Georgia.

(14) “Registered interior designer” means a person who is registered under Article 2 of this chapter as being qualified by education, experience, and examination to use the title “registered interior designer” in the State of Georgia and as further defined in Code Section 43-4-30.

Nothing in this paragraph or in this article shall be construed as prohibiting or restricting the practice or activities of an interior decorator or individual offering interior decorating services, including, but not limited to, selection of surface materials, window treatments, wall coverings, paints, floor coverings, and lighting fixtures.

(15) “Responsible control” means the amount of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered or licensed professionals applying the required professional standard of care, as defined by rules and regulations adopted by the respective boards governing such professionals.

(16) “Technical submissions” means designs, drawings, specifications, studies, and other technical reports prepared or reviewed in the course of professional practice.”

HISTORY: Ga. L. 1919, p. 125, § 16; Code 1933, § 84-301; Ga. L. 1952, p. 457, § 1; Ga. L. 1974, p. 162, § 1; Ga. L. 1984, p. 448, § 1; Ga. L. 2000, p. 1527, § 1.

43-4-2. Creation of board; composition; qualifications of members; terms of office; vacancies.

There is created the Georgia State Board of Architects and Interior Designers, which shall be composed of nine appointed members. Six of the members shall be registered architects who hold a current license in this state and who shall be residents of this state. Two members shall be registered interior designers who are residents of this state and who have been interior designers for at least ten years immediately preceding the appointment and who shall have passed an examination approved by the board. One member shall be a resident of this state and shall have no connection whatsoever with the practice or profession of architecture or interior design. The members of the predecessor State Board of Architects including the interior designer members who were formerly only full voting members for purposes of Article 2 of this chapter in office on June 30, 2000, shall be members of the Georgia State Board of Architects and Interior Designers and shall serve out the remainder of their respective terms and until their successors are appointed and qualified. The citizen member who is not a practicing architect or interior designer may vote only on matters relating to administration and policy which do not directly relate to practical and scientific examination of architects or interior designers in this state. The Governor shall appoint successors to the present members of the board, as their respective terms of office expire, for a term of office of five years each. The successor members so appointed shall possess the qualifications specified in this Code section and shall be confirmed by the Senate as provided

in Code Section 43-1-16. In case a successor is not appointed at the expiration of the term of any member, such member shall hold office until his or her successor has been duly appointed and qualified. Any vacancy occurring in the membership of the board shall be filled by the Governor for the unexpired term, and such member shall be confirmed by the Senate as provided in Code Section 43-1-16.

HISTORY: Ga. L. 1919, p. 125, § 1; Code 1933, § 84-304; Ga. L. 1952, p. 457, § 4; Ga. L. 1972, p. 744, § 1; Ga. L. 1979, p. 610, § 1; Ga. L. 1984, p. 448, § 2; Ga. L. 1986, p. 434, § 1; Ga. L. 2000, p. 1527, § 1.

43-4-3. Oath of Office.

The members of the board, before entering upon the discharge of their duties, shall subscribe to and file with the Secretary of State the constitutional oath of officers.

HISTORY: Ga. L. 1919, p. 125, § 2; Code 1933, § 84-305; Ga. L. 2000, p. 1527, § 1.

43-4-4. Election of board president and vice president.

The board shall elect from its membership a president and a vice president.

HISTORY: Ga. L. 1919, p. 125, § 3; Code 1933, § 84-306; Ga. L. 2000, p. 1527, § 1.

43-4-5. Maintenance of record of board's proceedings by division director.

The division director shall keep a true record of all proceedings of the board.

HISTORY: Ga. L. 1919, p. 125, § 6; Code 1933, § 84-309; Ga. L. 2000, p. 1527, § 1; Ga. L. 2000, p. 1706, § 19.

43-4-6. Reimbursement of board members.

Each member of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.

HISTORY: Ga. L. 1919, p. 125, § 12; Ga. L. 1931, p. 7, § 89A; Code 1933, § 84-311; Ga. L. 1979, p. 635, § 1; Ga. L. 2000, p. 1527, § 1.

43-4-7. Authority to confer with similar boards of other states and to attend meetings and conferences.

The board, or any member designated by the board, may confer with similar boards of other states or attend meetings or conferences for the purpose of obtaining information for the advancement of the profession and standards thereof.

HISTORY: Ga. L. 1979, p. 635, § 1; Ga. L. 2000, p. 1527, § 1.

43-4-8. Enforcement of chapter; payment of expenses.

The board shall be charged with the duty of enforcing this chapter and may incur such expenses as shall be necessary, all of which expenses shall be paid as provided in Chapter 1 of this title.

HISTORY: Ga. L. 1919, p. 125, § 7; Code 1933, § 84-310; Ga. L. 2000, p. 1527, § 1.

43-4-9. Adoption of rules, regulations, and standards of conduct; utilization of internet

(a) The board shall adopt all necessary rules, regulations, and standards of conduct, not inconsistent with this chapter and the Constitution and laws of this state and of the United States, to carry out this chapter and to safeguard life, health, and property.

(b) The board shall post all current laws, rules, regulations, and standards of conduct relating to the practice of architecture in this state on the board's official website. The board shall also provide on the website notification of recent changes in such laws, rules, regulations, or standards and information pertaining to disciplinary actions taken by the board. Individual notice of changes in such laws, rules, regulations, or standards shall be sent by the board at least once a year to each registered architect and building official. Individual notice may be sent by e-mail or regular mail.

HISTORY: Ga. L. 1919, p. 125, § 4; Code 1933, § 84-307; Ga. L. 1974, p. 162, § 4; Ga. L. 1982, p. 1019, § 2; Ga. L. 2000, p. 1527, § 1; Ga. L. 2007, p. 350, § 1/SB 237.

43-4-10 Compliance with requirements of article; practice of architecture by firms, sole proprietorships, partnerships, and corporations.

(a) Except as otherwise provided in this article, no person shall practice architecture in this state or use the title “architect” or “registered architect” or any word, letter, figure, or any other device indicating or intending to imply that he or she is an architect unless he or she holds a current registration as an architect in this state.

(b) No firm, sole proprietorship, partnership, limited liability company, corporation, or other similar organization shall be registered as architects. Firms, sole proprietorships, partnerships, limited liability companies, and corporations may practice architecture, as defined by this article, and perform the services heretofore enumerated common to the practice of architecture, provided that all such work and services are performed under the responsible control of an architect registered in this state who is a director, in the case of a corporation, or who is a partner, in the case of a partnership, or who is a member, in the case of a limited liability company, or who is an employee with an ownership interest who has been designated in writing as holding a position of authority within the firm which authorizes him or her to direct the architectural services offered by that firm; and provided, further, that the administration of construction contracts shall be under the responsible control of such registered architect and that such plans, drawings, and specifications shall be prepared under the responsible control of such registered architect and bear the architect's individual signature and seal.

HISTORY: Ga. L. 1919, p. 125, § 21; Code 1933, § 84-302; Ga. L. 1952, p. 457, § 2; Ga. L. 1955, p. 602, § 1; Ga. L. 1974, p. 162, § 2; Ga. L. 1992, p. 3318, § 1; Ga. L. 1993, p. 123, § 17; Ga. L. 2000, p. 1527, § 1.

43-4-11 Qualifications of applicants for examination or certificate of registration.

(a) Any person may apply to the board for such examinations as are required for certification under this article if qualified as set forth in subsection (b) of this Code section, or any person who has been registered as an architect by another jurisdiction may apply for a certificate of registration if qualified as set forth in subsection (c) of this Code section. No person shall be eligible for registration as an architect who has been found by the board to have committed any of the acts set forth in this article for which an architect's certificate might be revoked or suspended unless that individual establishes to the satisfaction of the board that he or she has fully reformed.

(b) The examinations shall be the examinations prepared and graded by the National Council of Architectural Registration Boards (NCARB). The candidate for examination shall submit to the board satisfactory evidence of one of the following qualifications:

(1) A professional degree in architecture from a school or college approved by the National Architectural Accrediting Board and practical experience as the board, by rules and regulations uniformly applied, shall deem appropriate. The board may adopt as its rules and regulations those guidelines published from time to time by the National Council of Architectural Registration Boards;

(2) A minimum of tens years' practical experience, including academic training, following completion of high school or the equivalent thereof, as the board, by rules and regulations uniformly applied, shall deem appropriate. An individual who intends to qualify as a candidate for examination under the provisions of this paragraph shall notify the board of such intent in writing prior to July 1, 1985. After July 1, 1985, all candidates for examination shall meet the requirements of paragraph (1) of this subsection; provided, however, that those candidates and

only those candidates who have met the requirements of this paragraph shall be admitted as a candidate for examination; or

(3) A bachelor's degree in architectural engineering technology from a school or college in this state approved by the Accrediting Board for Engineering and Technology, or any other bachelor's degree with a substantial concentration in architecture approved by the board from a board approved school or college in this state, and at least six years of practical experience as the board, by regulations uniformly applied, shall deem appropriate. An individual who intends to qualify as a candidate for examination under the provisions of this paragraph shall notify the board of such intent in writing prior to July 1, 2004. After July 1, 2004, all candidates for examination shall meet the requirements of paragraph (1) of this subsection.

(c) The applicant for a certificate of registration who has met the educational and training requirements set forth in paragraph (1), (2), or (3) of subsection (b) of this Code section and who has been registered as an architect by another jurisdiction shall hold a National Council of Architectural Registration Boards' certificate and a certificate of registration in such other jurisdiction, both of which shall be current and in good standing.

(d) The board may require applicants under subsection (c) of this Code section to provide such other evidence as the board may require to demonstrate knowledge of professional practice.

HISTORY: Ga. L. 1919, p. 125, § 18; Code 1933, § 84-303; Ga. L. 1952, p. 457, § 3; Ga. L. 1955, p. 602, § 2; Ga. L. 1961, p. 462, §§ 1-3; Ga. L. 1963, p. 383, § 1; Ga. L. 1971, p. 836, § 1; Ga. L. 1972, p. 545, § 1; Ga. L. 1974, p. 162, § 3; Ga. L. 1982, p. 1019, § 3; Ga. L. 1983, p. 734, § 1; Ga. L. 1984, p. 448, § 3; Ga. L. 1984, p. 595, § 1; Ga. L. 1990, p. 560, § 1; Ga. L. 1992, p. 3318, § 1; Ga. L. 2000, p. 1527, § 1; Ga. L. 2000, p. 1706, § 19; Ga. L. 2004, p. 606, § 1.

43-4-12 Certificate of registration.

A certificate of registration as a registered architect shall be valid for two years and shall be renewed biennially as provided by rule of the board. It is unlawful to identify oneself as being able to practice architecture in this state without a current and valid registration in this state. An applicant for a renewal of a certificate of registration shall meet such professional development requirements as the board may require by rule or regulation. Such rule or regulation shall describe professional development activities acceptable to the board and the form of documentation of such activities required by the board. The board shall be authorized to waive the professional development requirement in cases of hardship, disability, age, illness, or under such other circumstances as the board deems appropriate. Failure to meet the minimum qualifications for renewal of a license shall be grounds for denial of a renewal application.

HISTORY: Ga. L. 1919, p. 125, § 21; Code 1933, § 84-314; Ga. L. 1982, p. 1019, § 4; Ga. L. 2000, p. 1527, § 1; Ga. L. 2000, p. 1706, § 19.

43-4-13 Suspension or revocation of certificate; reprimand.

(a) In addition to the authority provided in Code Section 43-1-19, the board shall have the power to suspend or revoke the certificate of registration or reprimand any registrant who is found by the board to have:

(1) Committed any fraud, deceit, or misrepresentation in obtaining a certificate of registration;

(2) Committed any gross negligence, incompetence, unprofessional conduct, or recklessness in his or her professional practice;

(3) Permitted the use of his or her seal by any firm, partnership, limited liability company, or corporation without complying with the provisions of Code Section 43-4-10 as to his or her personal direction and supervision of architectural services performed by such firm, sole proprietorship, partnership, limited liability company, or corporation or the provisions of Code Section 43-4-16;

(4) Been convicted by any court of record of the United States of any act which would constitute a felony or a crime involving moral turpitude in this state or a plea of nolo contendere or the affording of first offender treatment to any such charge; or

(5) Violated this article or any rule, regulation, or standard of conduct promulgated by the board pursuant to the powers conferred upon it by this article.

(b) Prior to revoking or suspending a registrant's certificate, the board shall provide for a hearing into the charges against the registrant. The board shall issue a notice of hearing to the registrant in compliance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," at least ten days prior to the hearing. The hearing will be conducted in accordance with the procedures set forth in Chapter 13 of Title 50 and this article.

(c) The board may reinstate a registration to any person whose registration has been revoked who has met the qualifications for reinstatement. Application for the reissuance of said registration shall be made in such a manner as the board may direct and shall be accompanied by a fee established by the board. Neither the denial of a request for reinstatement of a revoked registration nor the refusal to issue a previously denied registration shall be considered to be a contested case within the meaning of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."

HISTORY: Ga. L. 1919, p. 125, §§ 23, 24; Code 1933, § 84-319; Ga. L. 1955, p. 602, § 4; Ga. L. 1974, p. 162, § 8; Ga. L. 1992, p. 3318, § 1; Ga. L. 1993, p. 123, § 18; Ga. L. 2000, p. 1527, § 1.

43-4-14 Practice of architecture; qualifications and registration; exempt structures and persons.

(a) In order to safeguard health, safety, and welfare, no person shall be allowed to practice architecture unless he or she has the qualifications and competency required by this article. Any person who is practicing architecture as defined in paragraph (11) of Code Section 43-4-1 shall

be required to register under this article and to secure all renewals of such registration before beginning or continuing to practice architecture.

(b) Construction documents for the following structures do not require the seal of a registered architect:

- (1) One and two-family residences and domestic outbuildings regardless of cost;
 - (2) Any building classified as an agricultural occupancy upon any farm for the use of any farmer; any state owned farmer's market;
 - (3) Any building which is a single story building, not exceeding 5,000 square feet in area, except new or existing assembly occupancies, educational occupancies, health care occupancies, correctional or detention facilities, hotels, dormitories or lodging facilities, multifamily housing or apartment complexes, and care facilities;
 - (4) Preengineered metal buildings that are one story in height, except new or existing assembly occupancies, educational occupancies, health care occupancies, correctional or detention facilities, hotels, dormitories or lodging facilities, multifamily housing or apartment complexes, care facilities, and facilities classified as high hazard; provided, however, that the services of a duly registered architect shall be required for the design of any business or mercantile occupancies that exceed 5,000 square feet in area that are incidental to the operation in such building; and
 - (5) Nonstructural interior construction within existing or planned structures which were designed by a registered architect, where drawings and specifications are prepared by a registered interior designer who by sealing and signing such interior construction documents submits to the responsible building official certification that the plans and specifications as submitted are in compliance with the applicable current building codes and regulations in effect.
- (c) The following persons are exempt from registration as an architect in this state:
- (1) A nonresident who holds a license to practice architecture in the state or country in which he or she resides and holds an NCARB certificate, but who is not registered in this state, may offer architectural services in a response to a request for qualifications, an interview, or a design competition only. Any offering or practice beyond this exception shall require registration as an architect in Georgia;
 - (2) An employee of a registered architect or firm under subsection (b) of Code Section 43-4-10 who is not in charge of design or supervision and who works under the supervision of a registered architect;
 - (3) An employee of the United States government while working in the scope of his or her employment for the United States government; and

(4) A registered professional engineer or his or her employee or subordinate under his or her responsible supervising control may perform architectural services which are incidental to such engineering practice; provided, however, that no professional engineer shall practice architecture or use the designation “architect” or any term derived therefrom unless registered under this article.

(d) Nothing in this article shall be construed to prohibit interior designers from performing services authorized by Article 2 of this chapter.

(e) Nothing in this article shall be construed to prohibit a general contractor for construction from offering to perform a design-build contract; provided, however, that such offer shall clearly indicate at the time of such offer that all design services shall be performed by a duly licensed and registered architect or engineer in compliance with all other provisions of this chapter.

(f) Nothing in this article shall be construed to mean that predesign services, as defined in Code Section 50-22-7, are required to be performed exclusively by architects.

(g) Nothing in this article shall be construed to mean that construction contract administration services are required to be performed exclusively by architects.

HISTORY: Ga. L. 1919, p. 125, § 15; Code 1933, § 84-321; Ga. L. 1952, p. 457, § 8; Ga. L. 1974, p. 162, § 10; Ga. L. 1982, p. 903, §§ 1, 2; Ga. L. 1992, p. 6, § 43; Ga. L. 1992, p. 3318, § 1; Ga. L. 2000, p. 1527, § 1; Ga. L. 2001, p. 741, § 1.

43-4-15. Enforcement of chapter by officials responsible for enforcing building construction codes.

Except as provided in Code Section 25-2-14, it shall be the duty of all public officials charged with the responsibility of enforcing codes related to the construction of buildings to require compliance with Code Section 43-4-14 before architectural plans, drawings, and specifications are approved for construction. Except as provided in Code Section 25-2-14, no building subject to Code Section 43-4-14 and requiring the services of an architect shall be built without such approval prior to construction.

HISTORY: Code 1933, § 84-321.1, enacted by Ga. L. 1981, p. 822, § 1; Ga. L. 1982, p. 1019, §§ 1A, 4A; Ga. L. 2000, p. 1527, § 1.

43-4-16. Architect seal; documents required to be sealed; requirements to be met before being sealed; assumption of responsibility; violation and penalties.

(a) Every architect registered under this chapter shall have a seal in the design authorized by the board, bearing the registrant’s name, certificate number, and the legends “Registered Architect” and “State of Georgia.”

(b) Plans, specifications, drawings, reports, or other architectural documents issued for the purpose of obtaining a building permit or for other requirements set forth by law shall be sealed by the architect and across the face of the seal shall be affixed the signature of the owner of the seal. The location of the seal on such documents, the identification of the pages which must be sealed, and the form of any title blocks may be established by the board in its rules and regulations.

(c) No plans, specifications, drawings, reports, or other documents shall be sealed and signed by an architect unless:

(1) The architect has a current registration to practice in this state and is competent in the subject matter of the documents by virtue of education or experience or both;

(2) The architect personally prepared the plans, specifications, drawings, reports, or other documents, or the plans, specifications, drawings, reports, or other documents were prepared under the architect's responsible control as provided in subsection (b) of Code Section 43-4-10; and

(3) The architect has been given full authority in writing by the original architect to make document revisions and has made a substantive review and inspection of the documents with regard to the laws and regulations of this state, and the documents are prototypical drawings. For purposes of this paragraph, prototypical drawings are drawings that may be prepared by an architect licensed in any country or United States jurisdiction, that have been prepared in connection with the design of a commercial chain establishment, and that have been successfully constructed in other states or countries.

(d) The registered architect who signs and seals the plans, specifications, drawings, reports, or other documents shall be considered the architect of record.

(e) No registered architect shall fix his or her seal to any plan, specification, drawing, report, or other document unless he or she has assumed the responsibility for the accuracy and adequacy of the work involved.

(f) If the registered architect who sealed the technical submissions submitted to the building official at the time the building permit is issued has not been employed to furnish construction administration services, he or she shall so note on such technical submissions in such manner as defined by board rules. If the architect's responsibility for construction contract administration is terminated following the issuance of a building permit, the building official shall be notified by the architect in writing accordingly.

(g) Any violation of this Code section shall be grounds for the suspension or revocation of the registration of the architect.

(h) Nothing in this Code section shall be construed to prohibit a registered architect from sealing drawings or documents prepared by a registered interior designer when such registered architect

has reviewed or supervised the preparation of the drawings or documents as provided in Code Section 43-4-33.

(i) Nothing in this Code section shall be construed to prohibit a licensed engineer from sealing engineering drawings and documents as provided in Code Section 43-4-14.

HISTORY: Ga. L. 1955, p. 602, § 5; Ga. L. 1974, p. 162, § 11; Ga. L. 1992, p. 3318, § 1; Ga. L. 1993, p. 123, § 19; Ga. L. 2000, p. 1527, § 1; Ga. L. 2001, p. 741, § 2.

43-4-17. Unlawful practice of architecture; enforcement; injunctions.

(a) Any person who uses the title “architect” or “registered architect” or uses any word, letters, or figures indicating or intending to imply that the person using the same is an architect or registered architect without compliance with this article, or who makes any willfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this article, or who practices architecture without compliance with this article shall be guilty of a misdemeanor.

(b) It shall be the duty of all duly constituted officers of the law of this state, or any political subdivision thereof, to enforce this article and to prosecute any persons violating this article. Upon application of any officer or citizen of this state complaining that this article has been violated by any person and upon proof of such violation, the superior courts of this state are authorized to and shall enjoin further violations of this article.

HISTORY: Ga. L. 1919, p. 125, § 26; Code 1933, § 84-9903; Ga. L. 1953, Jan.-Feb. Sess., p. 387, § 1; Ga. L. 1982, p. 3, § 43; Ga. L. 1992, p. 3318, § 1; Ga. L. 2000, p. 1527, § 1.

43-4-18. Cease and desist orders; violations; notice and hearing; judicial review (a) Notwithstanding any other provisions of the law to the contrary, upon the board determining that a person is violating the provisions of Code Section 43-4-14, 43-4-16, or 43-4-17, the board may issue a cease and desist order prohibiting the person from committing further violations and may impose a fine not to exceed \$10,000.00 for each violation. In determining the fine amount to be imposed, the board shall consider the severity of the violation. (b) For purposes of this Code section, each day a person is in violation of the provisions of Code Section 43-4-14, 43-4-16, or 43-4-17 shall constitute a separate violation. (c) A determination by the board pursuant to subsection (a) of this Code section shall be made only after notice to such person is given and a hearing is held. (d) Initial judicial review of any decision of the board made pursuant to this Code section or any action for enforcement thereof shall be available solely in the superior court of the county of domicile of the board. (e) Nothing in this Code section shall be construed to prohibit the board from seeking remedies otherwise available by statute without first seeking a cease and desist order in accordance with the provisions of this Code section.

HISTORY: Code 1981, § 43-4-17.1, enacted by Ga. L. 1986, p. 434, § 2; Code 1981, § 43-4-18, as redesignated by Ga. L. 2000, p. 1527, § 1; Ga. L. 2007, p. 350, § 3/SB 237.

43-4-19. Issuance of restraining order or injunction.

As cumulative of any other remedy or criminal prosecution, whenever it appears to the board that any person, firm, sole proprietorship, partnership, limited liability company, or corporation is or has been violating any of the provisions of this article, or the lawful rules, regulations, or orders of the board, or any of the laws of this state relating to the practice of architecture, the board, on its own motion, may bring an action in its own name in the superior courts of this state alleging the facts and praying for a temporary restraining order and an injunction against such person, firm, sole proprietorship, partnership, limited liability company, or corporation, restraining him, her, or it from violating such law, order, rule, or regulation. Upon proof of such facts, the court shall issue a restraining order or injunction, or both, without requiring allegation or proof that the petitioner therefore has no adequate remedy at law.

HISTORY: Code 1981, § 43-4-19, enacted by Ga. L. 2000, p. 1527, § 1.

TITLE 43. PROFESSIONS AND BUSINESSES CHAPTER 4. ARCHITECTS ARTICLE 2. REGISTERED INTERIOR DESIGNERS

43-4-30. "Registered interior designer" defined

As used in this article, the term "registered interior designer" means a person registered under this article as being qualified by education, experience, and examination to use the title "registered interior designer." In general, an interior designer performs services including preparation of documents relative to nonstructural interior construction, furnishings, finishes, fixtures, and equipment.

HISTORY: Code 1981, § 43-4-30, enacted by Ga. L. 1992, p. 3318, § 2; Ga. L. 2010, p. 748, § 3/HB 231.

43-4-31. Duty of State Board of Architects and Interior Designers to grant certificates and administer provisions of article; registry

The Georgia State Board of Architects and Interior Designers shall grant certificates and administer the provisions of this article, and the board shall keep a registry of registered interior designers.

HISTORY: Code 1981, § 43-4-31, enacted by Ga. L. 1992, p. 3318, § 2; Ga. L. 2000, p. 1527, § 2.

43-4-32. Application for certificate of registration; requirements; term of certificate; renewal

(a) Any person wishing to use the title "registered interior designer" shall apply to the board for a certificate of registration as a registered interior designer.

(b) Each applicant for certification as a registered interior designer shall meet the following requirements:

(1) Is at least 21 years of age;

(2) Has submitted a completed application as required by the board;

(3) Has submitted the fees required by the board;

(4) Provides proof of having passed the examination promulgated by the National Council for Interior Design Qualification or an examination approved by the board; and

(5) Except as otherwise provided in subsection (c) of this Code section, provides proof that the applicant has acquired a minimum four-year degree or first professional degree conferred by a college or university whose program is accredited by the National Architectural Accrediting Board or by another national or regional accrediting organization recognized by the board in a program of study in architecture or in a program of study in interior design approved by the Council for Interior Design Accreditation or in a substantially equivalent program of study approved by the board.

(c) The examination requirement and education requirement specified in paragraph (4) of subsection (b) of this Code section shall be waived by the board until June 30, 1996, for any applicant who provides proof satisfactory to the board that the applicant has been an interior designer for at least ten years immediately prior to the date of the application and who:

(1) Provides proof of having passed the entire examination promulgated by the National Council for Interior Design Qualification or an examination approved by the board; or

(2) Has a four-year degree conferred by a college or university and who passes an examination approved by the board on life safety and accessibility codes, which examination is passed after January 1, 1990, and prior to the application for a certificate of registration.

(d) A certificate of registration as a registered interior designer shall be valid for two years and shall be renewed biennially. An applicant for renewal of a certificate of registration shall pay a renewal fee and shall meet such continuing education requirements as the board may require by rule or regulation. The continuing education requirements shall not exceed 40 hours biennially.

HISTORY: Code 1981, § 43-4-32, enacted by Ga. L. 1992, p. 3318, § 2; Ga. L. 1994, p. 1759, § 1; Ga. L. 2008, p. 1112, § 11/HB 1055.

43-4-33. Form of certificate of registration; seal

(a) The board shall prescribe the form of a certificate of registration as a registered interior designer issued pursuant to the provisions of this article.

(b) A registered interior designer shall be authorized to have a seal separate from the seal of registered architects. The seal of a registered interior designer shall be applied to drawings or other documents prepared by or under the responsible control of the registered interior designer, provided that the foregoing shall not prohibit any registered architect who has reviewed or supervised the preparation of drawings or other documents prepared by a registered interior designer from applying his or her seal to such drawings or other documents.

HISTORY: Code 1981, § 43-4-33, enacted by Ga. L. 1992, p. 3318, § 2; Ga. L. 2010, p. 748, § 4/HB 231.

43-4-34. Scope of practice; effect on practice of architecture and interior decoration

(a) Nothing in this article shall be construed as amending or in any manner affecting the definition of or practice of architecture as provided in Code Sections 43-4-1 and 43-4-14.

(b) Nothing in this article shall be construed as prohibiting an architect from practicing interior design, provided that an architect shall not use the title "registered interior designer" unless the architect has been granted a certificate of registration under this article.

(c) Nothing in this article shall be construed as prohibiting or restricting the practice or activities of an interior decorator or individual offering interior decorating services, including, but not limited to, selection of surface materials, window treatments, wall coverings, paint, floor coverings, and lighting fixtures.

HISTORY: Code 1981, § 43-4-34, enacted by Ga. L. 1992, p. 3318, § 2.

43-4-35. Applicability of provisions of Chapter 1 of this title

For the purposes of this article, all the powers and duties provided in Chapter 1 of this title apply, including but not limited to the authority to sanction or deny registration as provided for applicants and licensees in Code Section 43-1-19.

HISTORY: Code 1981, § 43-4-35, enacted by Ga. L. 1992, p. 3318, § 2.

43-4-36. Registration of persons certified or registered in other states or foreign countries

Any person who has been certified or registered as an interior designer in another state or foreign country may be issued a certificate of registration by the board to use the title "registered interior designer," provided that such person demonstrates to the satisfaction of the board that he meets the requirements for registration in this state.

HISTORY: Code 1981, § 43-4-36, enacted by Ga. L. 1992, p. 3318, § 2.

43-4-37. Unlawful use of title "registered interior designer."

(a) It shall be unlawful for any person to use the title "registered interior designer" unless that person has been issued a certificate of registration as a registered interior designer as provided in this article.

(b) Any person violating the provisions of subsection (a) of this Code section shall be guilty of a misdemeanor.

HISTORY: Code 1981, § 43-4-37, enacted by Ga. L. 1992, p. 3318, § 2.